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15 Attorneys for Defendant  
Otto Trucking LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

20 Waymo LLC,  
21 Plaintiff,  
22 v.  
23 Uber Technologies, Inc., et al  
24 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF TODD A. BOOCK IN  
SUPPORT OF OTTO TRUCKING'S  
MOTION FOR RELIEF FROM NON-  
DISPOSITIVE PRETRIAL ORDERS  
(DOCKET NO. 1391)**

Judge: Hon. William H. Alsup  
Trial: October 10, 2017

Filed/Lodged Concurrently with:  
1. Motion  
2. [Proposed] Order

1 I, Todd A. Boock, declare as follows:

2       1. I am Counsel at the law firm of Goodwin Procter LLP, counsel of record for  
3 Defendant Otto Trucking LLC (“OT”). I make this declaration based upon matters within my own  
4 personal knowledge and if called as a witness, I could and would competently testify to the  
5 matters set forth herein. I make this declaration in support of Defendant Otto Trucking LLC’s  
6 Motion for Relief from Non-Dispositive Pretrial Orders.

7       2. Attached hereto as **Exhibit 1** is a true and correct copy of relevant portions of the  
8 Transcript of Proceedings, dated August 28, 2017.

9       3. Attached hereto as **Exhibit 2** is a true and correct copy of relevant portions of the  
10 Transcript of Proceedings, dated August 16, 2017.

11       4. Attached hereto as **Exhibit 3** is a true and correct copy of a document produced by  
12 Waymo in this litigation, Bates-stamped WAYMO-UBER-00086885 to -00086892.

13       5. Attached hereto as **Exhibit 4** is a true and correct copy of a document produced by  
14 Waymo in this litigation, Bates-stamped WAYMO-UBER-00084492 to -00084505.

15       6. Attached hereto as **Exhibit 5** is a true and correct copy of a document produced by  
16 Waymo in this litigation, Bates-stamped WAYMO-UBER-00086932 to -00086939.

17       7. Attached hereto as **Exhibit 6** is a true and correct copy of a document produced by  
18 Waymo in this litigation, Bates-stamped WAYMO-UBER-00086812 to -00086814.

19       8. Attached hereto as **Exhibit 7** is a true and correct copy of a subpoena issued by  
20 Waymo to Eric Tate, an attorney employed by Uber and Ottomotto’s counsel, Morrison &  
21 Foerster LLP.

22       9. Attached hereto as **Exhibit 8** is a true and correct copy of a subpoena issued by  
23 Waymo to Adam Bentley, an attorney formerly employed by O’Melveny & Myers LLP.

24       10. Attached hereto as **Exhibit 9** is a true and correct copy of a subpoena issued by  
25 Waymo to John Gardner, an attorney employed by Donahue Fitzgerald LLP.

26       11. Attached hereto as **Exhibit 10** is a true and correct copy of a document produced  
27 by Waymo in this litigation, Bates-stamped WAYMO-UBER-00086809 to -00086811.

28       12. Since Judge Corley issued her August 18, 2017 Order compelling production and

1 waiving privilege as to the forensic investigation, OT has been required to seek court relief on four  
2 separate occasions, including August 28 (Dkt. No. 1391), August 30 (Dkt. No. 1412), August 31  
3 (Dkt. No. 1429) and September 6, 2017 (Dkt. No. 1479). Each time OT has sought court  
4 assistance in directing Waymo to comply with the Court's August 18 Order, Waymo has been  
5 required to produce additional document or allow additional witness testimony.

6

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct. Executed this 11th day of September, 2017 in Los Angeles, California.

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10 /s/ Todd A. Boock  
Todd A. Boock

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## **ATTORNEY ATTESTATION**

I hereby attest, pursuant to Local Rule 5-1(i)(3), that I obtained the concurrence in the filing of this document from the signatory indicated by the conformed (/s/) of Todd A. Boock.

/s/ I. Neel Chatterjee  
I.NEEL CHATTERJEE

1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the  
3                   United States District Court for the Northern District of California by using the CM/ECF system  
4                   on September 11, 2017. I further certify that all participants in the case are registered CM/ECF  
5                   users and that service of the Declaration, including all public and redacted exhibits attached  
6                   hereto, will be accomplished by the CM/ECF system.

7                   I certify under penalty of perjury that the foregoing is true and correct. Executed this 11th  
8                   day of September 2017.

9                   \_\_\_\_\_  
10                  */s/ I. Neel Chatterjee*  
11                  I. Neel Chatterjee

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